

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2054

Introduced by Assembly Member Olsen

February 20, 2014

An act to amend Sections 21209 and 21968 of the Vehicle Code, relating to ~~vehicles~~ motorized skateboards.

LEGISLATIVE COUNSEL'S DIGEST

AB 2054, as amended, Olsen. Motorized skateboards.

Existing law prohibits a motorized skateboard from being propelled on any sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or hiking or recreational trail. *Under existing law, a violation of this provision, or of a local ordinance adopted pursuant to this provision, is an infraction.*

~~This bill would declare the intent of the Legislature to enact legislation that would define the term “electric motorized skateboard.”~~ *authorize an electrically motorized skateboard to be propelled in a bicycle lane or on a bikeway or bicycle path or trail if it has an electric motor with a power output of not more than 1,000 watts that is incapable of propelling the device at a speed of more than 20 miles per hour on ground level, and meets other criteria, as specified. The bill would authorize a local government authority to adopt rules and regulations by ordinance or resolution prohibiting or restricting persons from propelling an electrically motorized skateboard in a bicycle lane or on a bikeway or bicycle path or trail. Because a violation of this provision, or failure to comply with a local ordinance adopted pursuant to this provision, would be an infraction, this bill would impose a state-mandated local program.*

The bill would require a manufacturer of a motorized skateboard doing business in this state to provide a disclosure to each consumer that advises the consumer that an existing insurance policy may not provide coverage for use of motorized skateboards, as specified. Because a failure to comply with this provision would be an infraction, this bill would impose a state-mandated local program.

The bill would also make conforming changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 21209 of the Vehicle Code is amended to*
2 *read:*

3 21209. (a) ~~No~~A person shall *not* drive a motor vehicle in a
4 bicycle lane established on a roadway pursuant to Section 21207
5 except as follows:

6 (1) To park where parking is permitted.

7 (2) To enter or leave the roadway.

8 (3) To prepare for a turn within a distance of 200 feet from the
9 intersection.

10 (b) This section does not prohibit the use of a motorized bicycle
11 in a bicycle~~lane~~, lane pursuant to Section 21207.5, *or an*
12 *electrically motorized skateboard in a bicycle lane pursuant to*
13 *Section 21968*, at a speed no greater than is reasonable or prudent,
14 having due regard for visibility, traffic conditions, and the condition
15 of the roadway surface of the bicycle lane, and in a manner~~which~~
16 *that* does not endanger the safety of bicyclists.

17 *SEC. 2. Section 21968 of the Vehicle Code is amended to read:*

18 21968. ~~No~~*(a) A motorized skateboard*~~may~~ *shall not* be
19 propelled on~~any~~ a sidewalk, roadway, or any other part of a
20 highway or on~~any~~ a bikeway, bicycle path or trail, equestrian trail,
21 or hiking or recreational trail.

1 ***(b) Notwithstanding subdivision (a), an electrically motorized***
2 ***skateboard may be propelled in a bicycle lane or on a bikeway or***
3 ***bicycle path or trail if it meets both of the following requirements:***

4 ***(1) Has an electric motor with a power output of not more than***
5 ***1,000 watts that meets both of the following:***

6 ***(A) Is incapable of propelling the device at a speed of not more***
7 ***than 20 miles per hour on ground level.***

8 ***(B) Is incapable of further increasing the speed of the device***
9 ***when human power or gravity is used to propel the electrically***
10 ***motorized skateboard faster than 20 miles per hour.***

11 ***(2) Has a variable throttle control and an independent variable***
12 ***braking control.***

13 ***(c) The rider of an electrically motorized skateboard shall yield***
14 ***the right-of-way to a pedestrian prior to riding over or upon a***
15 ***bicycle lane or a bikeway or bicycle pathway or trail, or within a***
16 ***crosswalk pursuant to Section 21950.***

17 ***(d) (1) A manufacturer of motorized skateboards doing business***
18 ***in this state shall provide a disclosure, as described in paragraph***
19 ***(2), to each consumer that advises the consumer that an existing***
20 ***insurance policy may not provide coverage for motorized***
21 ***skateboards, and that the consumer is encouraged to contact his***
22 ***or her insurance company or insurance agent to determine if***
23 ***coverage is provided.***

24 ***(2) The disclosure required pursuant to paragraph (1) shall***
25 ***meet both of the following requirements:***

26 ***(A) The disclosure shall be printed in not less than 14-point***
27 ***boldface type on a single sheet of paper that contains no***
28 ***information other than the disclosure.***

29 ***(B) The disclosure shall include the following language in***
30 ***capital letters:***

31
32 ***“YOUR INSURANCE POLICY MAY NOT PROVIDE***
33 ***COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS***
34 ***MOTORIZED SKATEBOARD. TO DETERMINE IF COVERAGE***
35 ***IS PROVIDED, YOU SHOULD CONTACT YOUR INSURANCE***
36 ***COMPANY OR AGENT.”***

37
38 ***(e) Notwithstanding subdivision (b), a local government***
39 ***authority may adopt rules and regulations by ordinance or***
40 ***resolution prohibiting or restricting persons from propelling an***

1 *electrically motorized skateboard in a bicycle lane or on a bikeway*
2 *or bicycle path or trail.*

3 *SEC. 3. No reimbursement is required by this act pursuant to*
4 *Section 6 of Article XIII B of the California Constitution because*
5 *the only costs that may be incurred by a local agency or school*
6 *district will be incurred because this act creates a new crime or*
7 *infraction, eliminates a crime or infraction, or changes the penalty*
8 *for a crime or infraction, within the meaning of Section 17556 of*
9 *the Government Code, or changes the definition of a crime within*
10 *the meaning of Section 6 of Article XIII B of the California*
11 *Constitution.*

12 ~~SECTION 1. It is the intent of the Legislature to enact~~
13 ~~legislation that would define the term “electric motorized~~
14 ~~skateboard.”~~